

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MACOMB INTERCEPTOR DRAIN DRAINAGE
DISTRICT,

Plaintiff,

and

CITY OF DETROIT and DETROIT WATER
AND SEWERAGE DEPARTMENT,

Plaintiff-Intervenors,

v.

Case No. 11-13101

KWAME KILPATRICK, et al.,

Defendants.

**ORDER GRANTING INTERVENING PLAINTIFF'S MOTION TO EXTEND THE
SERVICE DEADLINE AND RECEIVE A NEW SUMMONS**

Intervening Plaintiff, City of Detroit, moves to extend the service deadline and to receive a new summons for Defendant Derrick A. Miller. Intervening Plaintiff hired a professional process server, which served the other defendants but, after a diligent effort, failed to serve Miller. Further, Intervening Plaintiff claims that an attorney representing Miller in another matter declined to accept service for him. In accord with Federal Rule of Civil Procedure 4(m), Intervening Plaintiff establishes good cause for the relief requested. Accordingly,

IT IS ORDERED that Intervening Plaintiff's motion [Dkt. # 239] to extend the

service deadline and to receive a new summons is GRANTED. The deadline to serve Miller advances to **January 14, 2013**, and a new summons shall issue.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: September 29, 2012

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, September 29, 2012, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522